

December 7, 2004  
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**REMARKS/DISCUSSION OF ISSUES**

Applicants regret that the Examiner was unable to schedule an interview with their counsel. Applicants note that their counsel contacted the Examiner on multiple occasions including November 1, 2004 and November 5, 2004, and left messages in the Examiner's voice mail, but counsel never received a return phone call to discuss the issues or arrange an alternate date for an interview.

**A. Claims 1-18 were rejected under 35 U.S.C. §102(e) as anticipated by Lee**

The §102(e) rejection of claims 1-18 is traversed. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of Calif.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1989). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1990).

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Because Lee does not disclose each and every element of the claimed invention, in at least as complete detail as claimed, the §102(e) rejection must fail. At a minimum, Lee does not disclose "allowing the collected log statement to be persisted in case of an error in a production environment," as claimed in independent claims 1, 9, and 11. The Examiner's citation to column 1, lines 54-57 and column 7, lines 16-20 is misplaced. Neither cited section contains the alleged disclosure, as a review of those selections (below) shows.

#### SUMMARY OF THE INVENTION

An Electronic Service Request generator is provided as a multi-threaded Windows NT service that monitors a Windows NT event log for system and application errors occurring in many different platforms connected to and supporting many workstations. Error conditions which require attention from a Central Support Center are logged

The ESR Central Service 31 will receive information on system errors, application errors, or peripheral errors from the Electronic Service Request (ESR) file formatter. This particular information is then included in a data packet that describes the problem and the severity of the problem. The

Clearly, nowhere in these selections is the claimed invention disclosed. The reference does not even discuss that the collected log statement is to be persisted. The reference also does not teach or suggest that the collected log statement is to be persisted in case of an error in a production environment.

Additionally, claim 3 requires that the executing application is run in a development environment. Differences between production and development environments are discussed, at least, on pages 1 and 4 of the present specification. The development environment is contrasted with the production environment referenced in claim 1 (collected log statements are persisted in case of an error in a production environment). Nowhere in Lee does the reference distinguish between production environments and development environments. Therefore, claim 3 is patentable over Lee for at least this additional reason.

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Similarly, claim 4 requires that the executing application is run in a test environment. The test environment is contrasted with the production environment referenced in claim 1 (collected log statements are persisted in case of an error in a production environment). Nowhere in Lee does the reference distinguish between production environments and test environments. Therefore, claim 4 is patentable over Lee for at least this additional reason.

Furthermore, Lee does not disclose detecting a death of an application thread by the logger and deleting the application thread's log statements after thread death detection, as claimed in claim 8. The Examiner's citation to column 13, lines 3-7 is misplaced. At most, Lee discloses that any new platforms that are later added or removed do not change system operation or require new software applications in order to effectuate the fault sensing and information delivery to a Remote Central Interface Unit for diagnosis and response. Nowhere does Lee disclose that a logger detects a death of an application thread. Additionally, Lee does not disclose that the application thread's log statements are deleted after thread death detection. Therefore, claim 8 is patentable over Lee for at least this additional reason.

As noted by the Examiner claims 9 and 10 are similar to claims 1-8. Therefore, claims 9 and 10 are patentable over the prior art for at least the same reasons as claims 1-8. The Examiner also noted the similarity of claims 11-18 to claims 1-8, and claims 11-18 are patentable over the prior art for at least the same reasons as claims 1-8.

Withdrawal of the rejections to claims 1-18 is requested.

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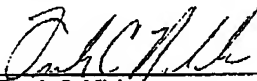
**SUMMARY**

The Applicant respectfully submits that claims 1-18 as listed herein fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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Respectfully Submitted  
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